

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 95-907-C - ORDER NO. 95-1598✓

OCTOBER 13, 1995

IN RE: Application for Business Telecom, Inc.,)	ORDER
for Approval of revisions to its SC)	GRANTING
Telecommunications Tariff to establish)	MOTION
maximum rates and changing the Price)	AND
Appendix for Premier WATS Service &)	RELIEF
operator Services Offerings)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the October 3, 1995 Motion of Business Telecom, Inc., (BTI or the Company) which requests that the Commission waive the hearing scheduled for Thursday, October 12, 1995 at 2:30 P.M.

In support of its motion, BTI states that on March 24, 1995, it filed a tariff revision (Tariff No. 95-115) to match the Commission-imposed operator service rate cap of American Telephone and Telegraph (AT&T). The effect of this filing is that BTI must increase certain elements of its maximum rates, which is the basis of the above-mentioned hearing. According to BTI, without the ability to increase its maximum rates and current rates in accordance with those of AT&T, BTI is at a competitive disadvantage in the market place for operator services. BTI cites the pre-filed testimony of Barbara Greene, Regulatory Administrator of BTI, who states that the company proposed a draft tariff page which would reference AT&T's maximum rates and instead of a separate table of

BTI's maximum rates. According to BTI, if this reference had been in place prior to the March 24, 1995 filing, there would be no need for the October 12, 1995 hearing. This reference will also eliminate the need for future hearings over the same issue according to BTI, should AT&T raise or add any elements of its operator service rates.

BTI also states that on September 21, 1995, the Commission entered an Order granting Frontier Communication International, Inc.'s request to reference AT&T's maximum rates as requested in the Motion by BTI. The Commission found it to be in the public interest that Frontier have the same competitive advantages as other companies, i.e., AT&T. According to BTI, although the circumstances of Frontier and BTI are not identical, they are similar enough in material fact and procedural fact that ordering the same competitive advantages to BTI as were granted to Frontier is warranted. Accordingly, BTI requests that the Commission grant its request to raise its maximum operator service rates by approving Tariff No. 95-115 to allow the Company to file a subsequent tariff revision to reference the maximum rates of AT&T as its own and to waive the hearing presently scheduled for Thursday, October 12, 1995 at 2:30 P.M..

The Commission has examined this matter and agrees with the reasoning as set forth by BTI in its Motion. The Commission agrees that if the reference agreed to by BTI had been in place prior to the March 24th filing, that there would be no need for the October 12th Hearing. The proposed maximum rates, therefore, shall be accepted by the Commission. Further, the Commission believes that

the circumstances of Frontier and BTI are similar in material fact and procedural fact, and that BTI should receive the same competitive advantages as were granted to Frontier. Further, considering all of this, the Commission believes that the relief requested by BTI should be granted and that the hearing scheduled for October 12, 1995 at 2:30 P.M. should be waived and canceled. The Commission grants the request of BTI to raise its maximum operator service rates by approving Tariff No. 95-115. The Company should file a subsequent tariff revision to reference the maximum rates of AT&T as its own. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)